

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALLSTATE PROPERTY AND
CASUALTY INSURANCE
COMPANY and ALLSTATE
INSURANCE COMPANY,

Plaintiffs,

v.

EDITH LENERTZ and JOHN
LENERTZ, individually and the
marital community comprised thereof,
KELLY RIGHT REAL ESTATE OF
SPOKANE, LLC, a Washington
Limited Liability Corporation,
KAYLEN STROYAN and JANE DOE
STROYAN, individually and the
marital community comprised thereof,
and CHAD CARSON and RENEE
WEBBER, individuals,

Defendants.

NO: 2:20-CV-0042-TOR

ORDER OF DISMISSAL
WITHOUT PREJUDICE

BEFORE THE COURT is Plaintiffs' Motion to Dismiss without Prejudice
and without Costs to any Party. ECF No. 27. The motion was submitted for
consideration without oral argument. No opposition to the motion has been filed.

1 Having reviewed the file and the records therein, the Court is fully informed.
2 Plaintiffs request to dismiss the complaint in this action without prejudice and
3 without costs to any party. In support of the motion, Plaintiffs explain that the
4 underlying lawsuit in Spokane County Superior Court (*Chad Carson, et. al. v.*
5 *Edith Lenertz, et. ux. and et. al.*) has been settled rendering this action “moot in
6 regard to the coverage issues presented by that underlying suit.” ECF No. 28 at 2.

7 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 8 1. Pursuant to Rule 41(a)(2), Plaintiffs’ motion is granted and this action is
9 **DISMISSED** without prejudice and without costs to any party.
10 2. All deadlines, hearings and trial are **VACATED**.

11 The District Court Executive is directed to enter this Order and Judgment of
12 Dismissal, furnish copies to counsel, and **CLOSE** the file.

13 DATED February 19, 2021.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge